IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3621 of 2005

Between:

Panga Appala Suramma, W/o. Ramanyya,
Karagam Village, Narasannapeta Mandal Srikakulam District.

..... PETITIONER

AND

1 The Joint Collector, Srikakulam, Srikakulam District.
2 The Revenue Divisional Officer, Srikakulam, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ order or direction more particularly a Writ in the nature of Writ of Mandamus declaring the proceedings Rc.No. 812/2004-H dated 11-6-2004 of the Revenue Divisional Officer, Srikakulam as ilelgal and arbitrary and consequently set aside the same.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

This Court at the stage of admission made the following:

ORDER:

The petitioner filed the present writ petition challenging the proceedings in Rc.No.812/2004-H, dated 11.06.2004, of the second

respondent-Revenue Divisional Officer, Srikakulam, wherein his authorization as Fair Price Shop dealer of Karagam Village was suspended.

The case of the petitioner is that he was appointed as Fair Price Shop Dealer of Karagam Village of Srikakulam District in the year 1998. While so, during the years 2001-2002 and 2003, the Civil Supplies Department supplied 12.82 kgs of rice for distribution under Food for Work programme and he distributed the same to the workers on production of coupons issued by the Engineering Department. Subsequently, after lapse of 3 to 4 years, a complaint was lodged against the petitioner alleging mis-utilization of the rice meant for Food for work programme. Based on the same, the second respondent passed the impugned proceedings suspending the dealership of the petitioner. Being aggrieved thereby, the petitioner filed an appeal before the first respondent along with an application to stay the operation of order of the second respondent, but, the second respondent dismissed the said stay application on 04.08.2004 and remanded the matter to the second respondent with a direction to dispose of the case within a period of thirty days therefrom.

The grievance of the petitioner is that though eight months have lapsed after passing of the said order by the first respondent, till date no enquiry has been conducted. Hence, the present writ petition.

Learned Government Pleader for Civil Supplies appearing for the respondents submitted that pursuant to the orders passed by the second respondent, the first respondent has already conducted the enquiry and passed the final orders on 21.09.2004 and the same was received by the petitioner on 25.09.2004, therefore, no further orders are required to be passed in the writ petition and the same is liable to be dismissed.

Placing the statement of the learned Government Pleader on record to the effect that the enquiry was already concluded and final orders were passed and communicated to the petitioner, the writ petition is dismissed as having become infructuous. No order as to costs.

25.04.2005

dr/tvk

To

1 The Joint Collector, Srikakulam, Srikakulam District.
2 The Revenue Divisional Officer, Srikakulam, Srikakulam District.

3 2 CCs to Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad. (OUT)

4 2 CD copies